

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF PUERTO RICO
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MICHAEL SANCHEZ-OXIO,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil No. 13-1826 (JAF)

(Crim. No. 06-241-1)

5
6 **MEMORANDUM OPINION**

7 Petitioner Michael Sánchez-Oxio (“Sánchez-Oxio”) comes before the court with a
8 motion to alter or amend our previous judgment pursuant to Fed. R. Civ. P. 59(e).
9 (Docket No. 6.) First, Sánchez-Oxio argues that he is entitled to relief based on *Alleyne*
10 *v. United States*, 570 U.S. ___, 133 S. Ct. 2151 (2013). We squarely addressed and
11 dismissed this claim in our denial of his last petition under § 2255. (Docket No. 4 at 4-5.)
12 Second, Sánchez-Oxio argues that his last petition under § 2255 was not a second or
13 successive § 2255 motion. (Docket No. 6.) The history of the case shows otherwise, as
14 discussed in our previous opinion. (*See* Docket No. 4.)

15 For the foregoing reasons, we hereby **DENY** Petitioner’s motion to alter or amend
16 judgment (Docket No. 6).

17 **IT IS SO ORDERED.**

18 San Juan, Puerto Rico, this 17th day of September, 2014.

19 S/José Antonio Fusté
20 JOSE ANTONIO FUSTE
21 U. S. DISTRICT JUDGE